

TWENTY-SECOND DAY

Tuesday, February 21, 2006

The Senate of the Twenty-Third Legislature of the State of Hawaii, Regular Session of 2006, convened at 11:41 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Russell Higa, Honolulu Christian Church, after which the Roll was called showing all Senators present with the exception of Senator Nishihara who was excused.

The President announced that he had read and approved the Journal of the Twenty-First Day.

At 11:47 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 11:59 o'clock a.m.

MESSAGE FROM THE GOVERNOR

Gov. Msg. No. 297, dated February 8, 2006, transmitting the 2005 Report of the Commission to Promote Uniform Legislation, prepared by the Department of the Attorney General, was read by the Clerk and was placed on file.

HOUSE COMMUNICATIONS

The following communications from the House (Hse. Com. Nos. 27 to 30) were read by the Clerk and were disposed of as follows:

Hse. Com. No. 27, transmitting H.B. No. 2476, which passed Third Reading in the House of Representatives on February 17, 2006, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 2476, entitled: "A BILL FOR AN ACT RELATING TO STATUTORY REVISION: AMENDING, REENACTING, OR REPEALING VARIOUS PROVISIONS OF THE HAWAII REVISED STATUTES AND THE SESSION LAWS OF HAWAII FOR THE PURPOSE OF CORRECTING ERRORS AND REFERENCES, CLARIFYING LANGUAGE, AND DELETING OBSOLETE OR UNNECESSARY PROVISIONS," passed First Reading by title and was deferred.

Hse. Com. No. 28, transmitting H.B. No. 2896, which passed Third Reading in the House of Representatives on February 17, 2006, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 2896, entitled: "A BILL FOR AN ACT RELATING TO EMOTIONAL DISTRESS," passed First Reading by title and was deferred.

Hse. Com. No. 29, transmitting H.B. No. 2900, which passed Third Reading in the House of Representatives on February 17, 2006, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 2900, entitled: "A BILL FOR AN ACT RELATING TO ELECTRONIC VOTING," passed First Reading by title and was deferred.

Hse. Com. No. 30, transmitting H.B. No. 3242, which passed Third Reading in the House of Representatives on February 17, 2006, was placed on file.

On motion by Senator Hee, seconded by Senator Hogue and carried, H.B. No. 3242, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR," passed First Reading by title and was deferred.

SENATE CONCURRENT RESOLUTION

The following concurrent resolution (S.C.R. No. 19) was read by the Clerk and was deferred:

Senate Concurrent Resolution

No. 19 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR SURVIVORS OF BRAIN INJURIES."

Offered by: Senator Baker.

ORDER OF THE DAY

THIRD READING

S.B. No. 2896, S.D. 1:

On motion by Senator Inouye, seconded by Senator Espero and carried, S.B. No. 2896, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 3183, S.D. 1:

Senator English moved that S.B. No. 3183, S.D. 1, having been read throughout, pass Third Reading, seconded by Senator Inouye.

REMARKS

The motion was put by the Chair and carried, S.B. No. 3183, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICULAR EMISSIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 21. Noes, 3 (Slom, Trimble, Whalen). Excused, 1 (Nishihara).

S.B. No. 2255, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2255, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TIME LIMITATIONS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2591:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2591, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," having been read throughout,

passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2596:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2596, entitled: "A BILL FOR AN ACT RELATING TO THE INTERMEDIATE APPELLATE COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2597:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2597, entitled: "A BILL FOR AN ACT RELATING TO APPELLATE JURISDICTION," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2599:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2599, entitled: "A BILL FOR AN ACT RELATING TO APPEALS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2601:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2601, entitled: "A BILL FOR AN ACT RELATING TO DOCUMENTS SEALED UPON FILING," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2602, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2602, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO ADULT PROBATION RECORDS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2604:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2604, entitled: "A BILL FOR AN ACT RELATING TO INTERMEDIATE APPELLATE COURT PANELS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2607, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2607, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSFER OF APPEALS," having

been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2608:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2608, entitled: "A BILL FOR AN ACT RELATING TO GUARDIAN AND PROTECTIVE PROCEEDINGS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2609, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2609, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO WRIT OF CERTIORARI," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2610, S.D. 1:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2610, S.D. 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO THE HAWAII CONSTITUTION RELATING TO CHANGING THE NAME OF THE INTERMEDIATE APPELLATE COURT," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 2611:

On motion by Senator Hanabusa, seconded by Senator Hee and carried, S.B. No. 2611, entitled: "A BILL FOR AN ACT RELATING TO VEXATIOUS LITIGANTS," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 24. Noes, none. Excused, 1 (Nishihara).

S.B. No. 3000, S.D. 1:

By unanimous consent, action on S.B. No. 3000, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO HOUSING," was deferred until Wednesday, February 22, 2006.

S.B. No. 3124:

Senator Hee moved that S.B. No. 3124, having been read throughout, pass Third Reading, seconded by Senator Inouye.

REMARKS

The motion was put by the Chair and carried, S.B. No. 3124, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," having been read throughout, passed Third Reading on the following showing of Ayes and Noes:

Ayes, 20. Noes, 4 (Hemmings, Hogue, Slom, Trimble). Excused, 1 (Nishihara).

S.B. No. 2293, S.D. 1:

By unanimous consent, S.B. No. 2293, S.D. 1, entitled: "A BILL FOR AN ACT RELATING TO SOCIAL SECURITY NUMBER PROTECTION," was recommitted jointly to the Committee on Commerce, Consumer Protection and Housing and the Committee on Media, Arts, Science and Technology.

ADJOURNMENT

At 12:14 o'clock p.m., on motion by Senator Hee, seconded by Senator Hogue and carried, the Senate adjourned until 11:30 o'clock a.m., Wednesday, February 22, 2006.